

REMARKS

Claims 1-11 and 13-19 were pending and considered. Claims 5 and 15-18 were objected to, but indicated to be allowable. Claims 1-4, 6-11, 13, 14 and 19 have been rejected. In response, claims 1 and 4 have been amended and claims 5 and 15 have been rewritten in independent form. Upon entry of this amendment claims 1-11 and 13-19 remain pending. Reconsideration and allowance are respectfully requested.

Applicants gratefully acknowledge the Examiner's indication that claims 5 and 15-18 would be allowable if rewritten in independent form. In response, claims 5 and 15 have been rewritten. Applicants are of the opinion that claims 5 and 15-18 are now allowable. Reconsideration and allowance are respectfully requested.

Specifically, claims 5 and 15 have been rewritten to include all of the limitations of claim 1 from which claims 5 and 15 each depended directly previously. Accordingly, claims 5 and 15 are now presented in independent form. Claims 16 and 17 depend from claim 15, and claim 18 depends from claim 5. Accordingly, it is respectfully submitted that claims 16, 17 and 18 are allowable without amendment thereto. Applicants respectfully request the Examiner's indication that claims 5 and 15-18 are now allowed.

Claim 1 was objected to, with the Examiner stating that the step of "passing the treated fiber stock suspension to a paper machine and producing the at least one of paper and cardboard with the treated stock suspension" was not a step of the disclosed process for treating a fiber stock suspension, but rather a step performed on the suspension after the treating process. In response, claim 1 has been amended. Accordingly, Applicants are of the opinion claim 1 is now in allowable form, and Applicants respectfully request reconsideration and allowance thereof.

It is respectfully submitted that the Examiner too narrowly interpreted the preamble of claim 1 which stated "A process of treating a fiber stock suspension for at least one of paper and

cardboard production, ...” It is respectfully submitted that the step of passing the treated fiber stock suspension to a paper machine and producing the at least one of paper and cardboard is indeed part of; “A process of treating a fiber stock suspension for at least one of paper and cardboard production”.

However, to further clarify claim 1, claim 1 has been amended. Specifically, claim 1 has now been amended to recite “A process of treating a fiber stock suspension to produce at least one of paper and cardboard having filled fibers therein,...” An additional step has been recited, stating “filling fibers within the fiber stock suspension with said additive to form filled fibers;”. It is respectfully submitted that all of the steps of claim 1 are in fact steps performed on a fiber stock suspension to produce at least one of paper and cardboard having filled fibers therein. Passing the treated stock suspension to a paper machine and forming at least one of paper and cardboard with the treated fiber stock are steps in treating a fiber stock suspension to produce paper or cardboard. It is submitted that amended claim 1 clearly recites steps all of which are performed on a fiber stock suspension to produce paper or cardboard. Accordingly, Applicants respectfully request reconsideration and removal of the objection to claim 1.

Claim 4 has been rejected under 35 U.S.C. § 112, second paragraph as being indefinite, with the Examiner stating that it is uncertain what is meant by “pre-treatment”. While Applicants find it unusual that, after a lengthy prosecution, claim 4, which was an original claim without previous amendment thereto, is now found to be indefinite; nevertheless Applicants have amended claim 4 to recite “prior to said step of adding at least one additive to the fiber stock suspension”. Applicants respectfully submit that the amendment to claim 4 removes any possible uncertainty about the meaning of “pre-treating” and respectfully request reconsideration of claim 4 and removal of the rejection under 35 U.S.C. § 112.

Claims 1-4, 6-11, 13, 14 and 19 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 6,074,524 (Wu et al.). In response, claim 1 has been amended. Accordingly, Applicants are of the opinion amended claim 1 is allowable together with claims 2-4, 6-11, 13, 14 and 19 which depend from claim 1.

The Examiner has specifically addressed Applicants' arguments regarding Wu et al. from Applicant's previous response. The Examiner states that features relied on in those arguments were not recited in the rejected claims. Specifically, the Examiner stated that the process of Wu was "differentiated as being a process for filling attachment to the surface of the fibers rather than filler loading of fibers. The Examiner found that nothing in the claims was directed to filler loading of fibers and that the claims were open to a process such as that disclosed by Wu.

In response, claim 1 has now been amended to specifically include a step of "filling fibers within the fiber stock suspension with said additive to form filled fibers;..." Accordingly, it is respectfully submitted that claim 1 now specifically includes a limitation regarding the filling of fibers with an additive.

Wu et al. discloses a readily defibered pulp product for use as fluff pulp in absorbent articles such as diapers, sanitary napkins and the like. During fluff pulp processing, hammermills are used to break up sheets of fluff pulp received from a pulp mill. To individualize a high percentage of fibers, high energy is required to break up fiber bundles. Vigorous defiberizing can also cause fiber breakage. Alternatively, chemical debonders can be used in the pulp mill prior to sheet formation, but often cause decreases in absorbency and water holding capacity. To reduce the need for chemical debonders in fluff pulps, Wu et al. proposes adding finely divided fillers to fiber surfaces to reduce fiber to fiber bonding strengths, thereby lowering defiberizing energy requirements without using conventional debonders. Thus, the high basis weight fluff pulp sheets or mats therefrom are readily defibered for subsequent production of the highly absorbent water

retaining products such as diapers and sanitary napkins. Wu et al. specifically differentiates his product from paper products intended for letter, book, magazine and other papers (column 4, lines 16-18) which require greater strength. The products of the Wu et al. invention are unsized, with low tensile, burst and tear strength. The fibers are unrefined or only lightly refined (column 4, lines 28-33).

The process of Wu et al. provides surface attachment of fillers, different from the fiber loading process of the present invention, for the specific purpose of reducing fiber-to-fiber bonding in the pulp. This is a clearly different result than is desired from fiber filling in the present invention. Accordingly, any low energy treatment taught by the Wu et al. process is not relevant to a fiber filling process, and Wu et al. specifically teaches that the process is not for the production of paper grades, only fluff pulp.

It is respectfully submitted that the process taught by Wu et al. specifically teaches that it is not appropriate for treating fibers intended for the manufacture of paper products since the fiber-to-fiber bonding is inhibited. Wu et al. individualizes fibers for the manufacture of fluff pulp.

Claim 1 as amended specifically recites filling fibers, passing the fiber stock suspension to a paper machine and forming at least one of paper and cardboard with the fiber stock suspension. In accordance with the teaching of Wu et al., one is specifically cautioned against and instructed not to pass the treated fibers of Wu et al. to a paper machine to produce paper or cardboard. Instead, Wu et al. teaches producing fluff pulp.

Applicants respectfully submit that Wu et al. specifically and clearly teaches away from the process recited in amended claim 1. Claim 1 recites steps that Wu et al discloses as inappropriate for using fibers treated with the Wu process. Accordingly, claim 1 should be allowed over the teaching of Wu et al.

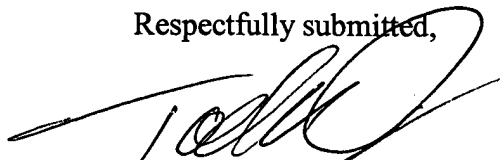
Claims 2-4, 6-11, 13, 14 and 19 each depend from claim 1 and therefore include all the limitations of claim 1. These claims should be allowable together with claim 1 as amended.

For the foregoing reasons, Applicants submit that the pending claims are definite and do particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Moreover, Applicants submit that no combination of the cited references teaches, discloses or suggests the subject matter of the amended claims. The pending claims are therefore in condition for allowance, and Applicants respectfully request withdrawal of all rejections and allowance of the claims.

In the event Applicants have overlooked the need for an extension of time, an additional extension of time, payment of fee, or additional payment of fee, Applicants hereby conditionally petition therefor and authorize that any charges be made to Deposit Account No. 20-0095, TAYLOR & AUST, P.C.

Should any question concerning any of the foregoing arise, the Examiner is invited to telephone the undersigned at (260) 897-3400.

Respectfully submitted,



Todd T. Taylor  
Registration No. 36,945

Attorney for Applicant

TTT5/dc/mb

TAYLOR & AUST, P.C.  
142 S. Main Street  
P.O. Box 560  
Avilla, IN 46710  
Telephone: 260-897-3400  
Facsimile: 260-897-9300

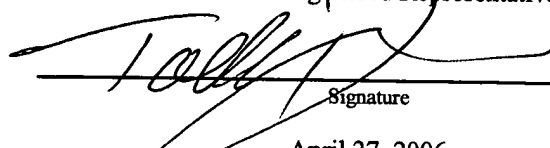
Enc.: Return postcard

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on: April 27, 2006.

Todd T. Taylor, Reg. No. 36,945

Name of Registered Representative



Signature

April 27, 2006  
Date